

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

NICK A. GUERRERO,

Petitioner,

v.

CIV 10-0060 RB/CG

MICHAEL MARTINEZ, Warden, and  
GARY K. KING, Attorney General for  
the State of New Mexico

Respondents.

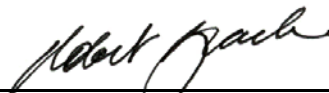
**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

The Magistrate Judge filed proposed findings on April 1, 2010, recommending that Nick Guerrero's § 2254 petition for a writ of habeas corpus be dismissed with prejudice. See *Doc. 10*. The proposed findings notify Petitioner of his ability to file objections and that failure to do so waives appellate review. To-date, he has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 10*) is ADOPTED;
2. The § 2254 petition is dismissed **with prejudice**; and
3. A final order enter concurrently herewith.



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UNITED STATES DISTRICT JUDGE